

**OFFICIAL FILING BY FACSIMILE  
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FACSIMILE #703 308 5065, FOR OFFICE  
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Response 39 pages,  
Drawings 0 sheets  
Terminal Disclaimer 0 sheet.  
Exhibits 0 pages  
Total Fax pages 39

Our Ref. No. P-1427-001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:  
BEIERLE

Date: February 21, 2007

Serial No. 10/669,666

Group Art Unit: 1764

Filed: September 23, 2003

Examiner: Jennifer A. Leung

For: METHOD OF PRODUCING  
CHARCOAL, CONDITIONED GAS AND  
POTASSIUM FROM BIOMASS

**AMENDMENT AND RESPONSE AFTER PAYMENT OF ISSUANCE FEE TO  
OFFICE OF PUBLICATION RE: INCONSISTENCY WITH SPECIFICATION**

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Commissioner:

In response to the Notice of Drawing Inconsistency with Specification from the  
Office of Publications dated January 31, 2007, please consider the following:

**Response is Timely Filed.**

The applicant respectfully observes that this response is timely filed. However,  
the Examiner is hereby authorized to deduct other fees owing from the deposit account of  
Liebler, Ivey & Connor, P.S./Floyd E. Ivey, 35,552, Deposit account No. 50-0607.

Certificate of facsimile filing  
on February 21, 2007 by Floyd E. Ivey,  
Serial No. 10/669,666 to 703 308 5065  
Floyd E. Ivey, USPTO 35552,

Application No. 10/669,666

1 **I. INTRODUCTORY COMMENTS**

2 **Correction of Inconsistency** - The Office of Publications has Noticed a Drawing  
3 Inconsistency with Specification mailing date January 31, 2007. The Office of  
4 Publications has required that response be made within one month or thirty (30) days,  
5 whichever is longer.

6 Your applicant now responds in accordance with MPEP 714.16(d) which states in  
7 pertinent part:

8  
9 **III. AMENDMENTS REQUIRED BY THE OFFICE OF PATENT PUBLICATION**

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11 37 CFR 1.312, however, does not permit an amendment after the payment of the issue fee without  
12 withdrawal of the application from issue. In order to be able to accept such an amendment as may  
13 be required without having to withdraw an application from issue, effective February 24, 2004,  
14 PUBS has been delegated the authority to waive the requirement of 37 CFR 1.312 and accept an  
amendment filed after the payment of the issue fee. Furthermore, these amendments required by  
PUBS may be hand delivered to PUBS located at:

15 Office of Patent Publication  
16 \*\*>South Tower Building  
17 2900 Crystal Drive, Room 8A24<  
18 Arlington, VA 22202

19 Applicants may also fax these amendments required by PUBS to (703) 308 5065.

20 Your applicant files by fax to 703-746-4000.

21  
22 **II. NO NEW MATTER ADDED-** Pursuant to 37 CFR 1.125, there is no new matter  
23 added with this amendment to the Specification upon Notice of Drawing Inconsistency  
24 with Specification.  
25

26  
27 Certificate of facsimile filing  
28 on February 21, 2007 by Floyd E. Ivey,  
Serial No. 10/669,666 to 703/308 5065

Application No. 10/669,666

Floyd E. Ivey, USPTO 35552,

1 A markup of the entire Specification, as amended at page 5, is attached. A clean  
2 copy of the entire Specification as amended is provided.  
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27 Certificate of facsimile filing  
28 on February 21, 2007 by Floyd E. Ivey,  
Serial No. 10/669,666 to 703 308 5065  
Floyd E. Ivey, USPTO 35552,

Application No. 10/669,666

1 **III. Amendment to the Specification.**

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3 At page 5 of the application line 19 add the following:

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5  
6 Fig. 6 illustrates a detail from Fig. 3 showing the funnel means (200) having a slope,  $\theta$   
7 (210) at the funnel side (220), relative to a vertical, and of the charcoal discharge funnel  
8 means (230) having a slope,  $\theta$  (240) of charcoal discharge funnel slope (240) relative to a  
9 vertical where the slope will be greater than approximately 45 degrees and are preferred  
at approximately 60 degrees and showing that both the funnel means (200) and the  
charcoal discharge funnel means (230) are primarily inverted conical in structure.

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27 Certificate of facsimile filing  
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Serial No. 10/669,666 to 703 308 5065  
Floyd E. Ivey, USPTO 35552,

Application No. 10/669,666

1           **IV. Remarks**

2           The Office of Publications has given Notice of Drawing Inconsistency with  
3  
4       Specification. At page 5 of the application in the Brief Description of the Drawings, there  
5       was not reference to Fig. 6. The reference to Fig. 6 has been added commencing at page  
6       5/line 19.

7  
8           With this fax is a Markup of the original application showing where the reference  
9       to Fig. 6 is added at page 5/line 19.

10  
11          With this fax is a Clean Copy of the application with the addition of the reference  
12       to Fig. 6 at page 5/line 19.

13                               **SUMMARY OF THE AMENDMENT AND RESPONSE**

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15          Your applicant has made a good faith effort to respond to the Notice from the Office of  
16       Publication of January 31, 2007. Your applicant has addressed the inconsistency raised  
17       by the Office of Publications. Your applicant respectfully requests the Office of  
18       Publications to accept the correction and to advance this application to Publication.  
19

20                               Respectfully submitted,

21  
22                               FLOYD E. IVEY

23                               Registration No. 35,552

24  
25          Telephone No. (509) 735-3581

26  
27       Certificate of facsimile filing  
28       on February 21, 2007 by Floyd E. Ivey,  
      Serial No. 10/669,666 to 702,303,8065

Application No. 10/669,666

Floyd E. Ivey, USPTO 35552,

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CERTIFICATE OF TRANSMISSION:

The undersigned hereby certifies that this correspondence is being facsimile transmitted to the USPTO, #703 308 5065 on February 19, 2007.

\_\_\_\_\_  
Signature FLOYD E. IVEY

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on February 21, 2007 by Floyd E. Ivey,  
Serial No. 10/669,666 to 703 308 5065

Application No. 10/669,666

Floyd E. Ivey, USPTO 35532,